

**UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA)	CRIMINAL NO. 1:13-CR-0013
)	
v.)	(Judge Caldwell)
)	
JAMELL SMALLWOOD,)	
TIMOTHY FORBES and)	
JESSE BREWER)	

SUPERSEDING INDICTMENT

THE GRAND JURY CHARGES THAT:

**COUNT I
(Robbery)**

**FILED
HARRISBURG**

MAY 15 2013

MARY E. D'ANDREA, CLERK
Per _____
DEPUTY CLERK

That at all times material to this indictment, White Jewelers was engaged in the sale of fine jewelry, including Rolex watches, in interstate and foreign commerce, and an industry which affects interstate and foreign commerce.

That on July 12, 2012, in York, Pennsylvania, within the Middle District of Pennsylvania, and elsewhere, the defendants,

**JAMELL SMALLWOOD,
TIMOTHY FORBES and JESSE BREWER**

did unlawfully obstruct, delay and affect and attempt to obstruct, delay and affect commerce, as that term is defined in Title 18, United States Code, Section 1951, in that the defendants, **JAMELL SMALLWOOD, TIMOTHY FORBES and JESSE BREWER**, did unlawfully take and obtain fifty-three (53) Rolex watches from the owner of White Jewelers, against his will by means of actual and

threatened force and violence to his person, that is, the defendants, **JAMELL SMALLWOOD and JESSE BREWER**, in the course of robbing White Jewelers, shot the owner of White Jewelers.

All in violation of Title 18, United States Code, Section 1951.

THE GRAND JURY FURTHER CHARGES THAT:

COUNT II

(Use of a Firearm During a Crime of Violence)

On July 12, 2012, in York, Pennsylvania, within the Middle District of Pennsylvania, the defendants,

**JAMELL SMALLWOOD,
TIMOTHY FORBES and JESSE BREWER**

aided and abetted by each other and by individuals known and unknown to the Grand Jury, did knowingly carry and use a firearm during and in relation to a crime of violence, for which he may be prosecuted in a court of the United States, namely robbery affecting interstate and foreign commerce.

All in violation of Title 18, United States Code, Section 924(c)(1)(A);
Pinkerton v. United States, 328 U.S. 640 (1946) (Pinkerton liability).

A TRUE BILL


FOREPERSON



DATE


PETER J. SMITH
UNITED STATES ATTORNEY